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**Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991**

# Revised estimates for the year 1998

## Report of the Secretary-General

*Summary*

On 22 December 1997, the General Assembly adopted resolution 52/217 and appropriated to the special account for the International Tribunal for the Former Yugoslavia a total amount of $62,331,600 net ($68,829,800 gross) for the period from 1 January to 31 December 1998. As a result of the adoption of Security Council resolutions 1160 (1998) of 31 March 1998 regarding the violence in Kosovo and 1166 (1998) of 18 September 1998 regarding a third Trial Chamber, a commitment authority ($2,443,700 net) was approved to cover related expenses. Since that date expenditure trends have been carefully analysed to determine overall needs for the year. The General Assembly is requested to approve a revised staffing table providing for 75 additional temporary posts and a revised appropriation of $62,201,200 net ($68,611,900 gross), which represents a reduction in requirements of $130,400 net ($217,900 gross).

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# Contents


| | | *Paragraphs* | *Page* |
|---|---|---|---|
| I. | Introduction | 1–7 | 3 |
| II. | Revised budget estimates | 8–32 | 5 |
| | A. The Chambers | 9–12 | 7 |
| | B. The Office of the Prosecutor | 13–20 | 8 |
| | C. The Registry | 21–32 | 12 |
| III. | Expenditure trends, 1998 | 33–34 | 18 |
| IV. | Action to be taken by the General Assembly | 35–36 | 19 |
| **Annexes** | | | |
| I. | Selected workload indicators | | 20 |
| II. | Budgetary assumptions | | 22 |

# I. Introduction

1. Since the initial budget proposals for 1998 were made, significant new unforeseen developments have occurred. On 31 March 1998, the Security Council adopted resolution 1160 (1998), in which it urged the Office of the Prosecutor of the International Tribunal for the Former Yugoslavia to begin gathering information related to the violence in Kosovo that might fall within its jurisdiction, and noted that the authorities of the Federal Republic of Yugoslavia had an obligation to cooperate with the Tribunal and that the Contact Group countries would make available to the Tribunal substantiated relevant information in their possession. Further, by its resolution 1166 (1998) of 13 May 1998, the Council, acting under Chapter VII of the Charter of the United Nations, decided to establish a third Trial Chamber of the International Tribunal for the Former Yugoslavia, and towards that end, amended articles 11, 12 and 13 of the Tribunal's statute covering the organization of the Tribunal, the composition of the Chambers and the qualifications and election of judges.

2. The new article 11, entitled "Organization of the International Tribunal", states that the Tribunal's organs shall consist of the Chambers, comprising three Trial Chambers and an Appeals Chamber; the Prosecutor; and a Registry. Under revised article 12, the Chambers shall be composed of 14 (previously 11) independent judges, no two of whom may be nationals of the same State, distributed as follows: three judges in each of the Trial Chambers and five judges in the Appeals Chamber. Pursuant to General Assembly decision 51/319 B of 15 September 1997, the term of office of three additional judges was extended from 17 November 1997 until the end of the ongoing Celebici trial, which was expected to occur by November 1998. Those judges were not included as part of the 14 judges approved by the Council.

3. In accordance with paragraph 4 of resolution 1166 (1998), the Secretary-General made arrangements for the election of judges and for enhancing the effective functioning of the Tribunal, and in accordance with paragraph 17 of resolution 1160 (1998), the Office of the Prosecutor began to gather information related to the violence in Kosovo that might fall within its jurisdiction.

4. Other unforeseen developments occurred since the preparation of the 1998 budget estimates in mid-1997. At that time it was assumed that: (a) courtroom 1 would be available throughout the year and courtroom 2 (formerly called the interim courtroom) would be available for trials as from 1 May 1998; (b) courtroom 3 would be constructed during 1998 and would become available for trials as from 1 January 1999; (c) the International Tribunal Detention Unit would accommodate an average of 12 detainees in the first half of 1998 and 24 detainees in the second half. The circumstances under which these parameters were developed have since changed significantly. Courtroom 3 became operational six months early, in July 1998, and the number of detainees increased beyond the assumptions described above. The early opening of courtroom 3 in July 1998, instead of 1 January 1999, was made possible due to in-kind donations by Member States. The operation of courtroom 3 will accompany profound changes in the workload of the Tribunal. In order to open sessions in courtroom 3, judicial supports were required in the Registry and in the areas of conference and language services, security, courtroom management and other sections. There will be more capacity to process trials, resulting in higher activity levels in the entire Tribunal. The increased number of detainees also has a notable effect on the workload of the Tribunal. An extra 12 indicted persons were taken into custody and the number of detainees rose to 20, well beyond the original assumption of 12 detainees in the first half of 1998. As at August 1998 the number of detainees had increased to 27. Further arrests are expected. At

this stage, the population of the detention centre is anticipated to reach 36 by the end of the year.

5. As these activities were not foreseen at the time of the preparation of the 1998 budget, the Secretary-General, in May 1998, requested the concurrence of the Advisory Committee on Administrative and Budgetary Questions to enter into commitments in an amount not exceeding $2,627,300 gross ($2,443,700 net) in 1998 for the activities called for by the Security Council. On 21 May 1998, the Advisory Committee, pursuant to the provisions of General Assembly resolution 52/223 of 22 December 1997, concurred with the request of the Secretary-General.

6. The full utilization of courtroom 3 and the effects of developments on the operations of the entire Tribunal are currently being reviewed and will be included in the proposed 1999 budget. It is expected that increased activities will particularly affect the Office of the Prosecutor, which handles prosecution and investigation, with the corresponding backstopping required from the Registry. More detainees and more trials in courtroom 3 will result in more sessions, additional witnesses and higher levels of activity for the prosecution and the defence in the preparation of trials.

7. Because of the in-kind donation of courtroom 3, it would be possible to meet a number of additional requirements from within the existing appropriation granted by the General Assembly through redeployment of resources initially provided for the construction and equipment of the courtroom. As indicated in table 1, the net additional requirements are estimated at $2,443,700. Table 2 reflects the proposed establishment of 75 additional temporary posts. Explanations of those requirements are described under the headings for the relevant organs of the Tribunal.

## II. Revised budget estimates

Table 1
**Summary of requirements by object of expenditure**
*(Thousands of United States dollars)*

(1) Assessed budget

| *Object of expenditure* | *(a) 1997 expenditure* | *(b) 1998 initial appropriation* | *(c) 1998 revised estimates* | *(d) resource change (c)-(b)* | *(e) Percentage change (d)/(b)* |
|---|---|---|---|---|---|
| 1. Expenditure | | | | | |
| Temporary posts | 20 379.4 | 30 200.7 | 31 377.7 | 1 177.0 | 3.9 |
| Other staff costs | 1 455.9 | 3 869.7 | 5 256.7 | 1 387.0 | 35.8 |
| Salaries and allowances of judges | 1 770.9 | 2 347.9 | 2 509.9 | 162.0 | 6.9 |
| Consultants and experts | 154.5 | 279.9 | 312.3 | 32.4 | 11.6 |
| Travel | 1 691.5 | 3 012.8 | 3 529.1 | 516.3 | 17.1 |
| Contractual services | 4 611.4 | 9 047.0 | 11 002.8 | 1 955.8 | 21.6 |
| General operating expenses | 4 276.8 | 6 457.8 | 6 855.1 | 397.3 | 6.2 |
| Hospitality | 2.5 | 4.0 | 4.0 | — | — |
| Supplies and materials | 356.9 | 961.5 | 1 129.7 | 168.2 | 17.5 |
| Furniture and equipment[a] | 1 415.7 | 3 638.2 | 2 971.1 | (667.1) | (18.3) |
| Major construction, alterations to premises[b] | 277.3 | 2 950.6 | 190.6 | (2 760.0) | (93.5) |
| Staff assessment | 4 214 8 | 6 059.7 | 6 269 6 | 209.9 | 3.5 |
| **Total expenditures (gross)** | **40 584.8** | **68 829.8** | **71 408.6** | **2 578.8** | **3.7** |
| 2. Income | | | | | |
| Staff assessment | 4 214.8 | 6 059.7 | 6 269.6 | 209.9 | 3.5 |
| Other income | — | 438.5 | 363.7 | (74.8) | (17.1) |
| **Total requirements (net)** | **36 392.8** | **62 331.6** | **64 775.3** | **2 443.7** | **3.9** |

[a] Owing to in-kind donations, the appropriation of $1,201,700 for the costs of various equipment for courtroom 3 were redeployed for other unforeseen requirements, including those required for further acquisitions.

[b] A total of $2,760,000 of "saving" was achieved under this object due to the in-kind donation of courtroom 3.

(2) Extrabudgetary resources

| | (a) 1997 expenditure | (b) 1998 initial estimates | (c) 1998 revised estimates | (d) resource change (c)-(b) | (e) Percentage change (d)/(b) |
|---|---|---|---|---|---|
| Expenditure | | | | | |
| Temporary posts | 479.2 | 368.5 | 349.3 | (19.2) | (5.2) |
| Other staff costs | 896.4 | 2 536.3 | 2 777.6 | 241.3 | 9.5 |
| Consultants and experts | — | — | 20.0 | 20.0 | — |
| Travel | 194.9 | 308.7 | 679.8 | 371.1 | 120.2 |
| Contractual services | 47.2 | 280.0 | 5.0 | (275.0) | (98.2) |
| General operating expenses | 171.0 | 371.5 | 433.3 | 61.8 | 16.6 |
| Supplies and materials | 119.4 | 106.0 | 618.8 | 512.8 | 483.8 |
| Acquisition of equipment | 1 742.1 | 140.0 | 657.8 | 517.8 | 369.9 |
| Alterations to premises | 321.8 | — | 683.6 | 683.6 | — |
| **Total (net)** | **3 972.0** | **4 111.0** | **6 225.2** | **2 114.2** | **51.4** |
| **Total (1) and (2) (net)** | **40 364.8** | **66 442.6** | **71 000.5** | **4 557.9** | **6.6** |

Table 2
**Summary of temporary post requirements**

| | *Assessed budget* | | | | *Extrabudgetary resources* | | | |
|---|---|---|---|---|---|---|---|---|
| | *1997* | *1998 initial* | *1998 revised* | *Change* | *1997* | *1998 initial* | *1998 revised* | *Change* |
| Professional and higher categories | | | | | | | | |
| Under Secretary-General | 1 | 1 | 1 | — | — | — | — | — |
| Assistant Secretary-General | 1 | 1 | 1 | — | — | — | — | — |
| D-2 | 1 | 1 | 1 | — | — | — | — | — |
| D-1 | 3 | 4 | 4 | — | — | — | — | — |
| P-5 | 14 | 22 | 25 | 3 | — | — | — | — |
| P-4 | 54 | 70 | 86 | 16 | — | — | — | — |
| P-3 | 71 | 101 | 118 | 17 | 1 | — | 1 | 1 |
| P-2/1 | 44 | 103 | 114 | 11 | — | — | — | — |
| **Subtotal** | **189** | **303** | **350** | **47** | **1** | **—** | **1** | **1** |
| General Service and related categories | | | | | | | | |
| Principal level | 6 | 8 | 8 | — | — | — | — | — |
| Other level | 111 | 189 | 204 | 15 | 9 | 7 | 7 | — |
| Security Service | 61 | 71 | 84 | 13 | — | — | — | — |
| **Subtotal** | **178** | **268** | **296** | **28** | **9** | **7** | **7** | **—** |
| **Total** | **367** | **571** | **646** | **75** | **10** | **7** | **8** | **1** |

8. The establishment of the third Trial Chamber called for in Security Council resolution 1166 (1998) would require an additional appropriation of $227,300, as described below (see also tables 3 and 4).

## A. The Chambers

Table 3
**Summary of requirements by object of expenditure**
*(Thousands of United States dollars)*

| *Object of expenditure* | *(a) 1997 expenditure* | *(b) 1998 initial appropriation* | *(c) 1998 revised estimates* | *(d) resource change (c)-(b)* | *(e) Percentage change (d) (b)* |
|---|---|---|---|---|---|
| 1. Expenditure | | | | | |
| Temporary posts | 224.2 | 308.1 | 323.4 | 15.3 | 5.0 |
| Other staff costs | 1.7 | 364.5 | 364.5 | — | — |
| Salaries and allowances of judges | 1 770.9 | 2 347.9 | 2 509.9 | 162.0 | 6.9 |
| Consultants and experts (including travel) | — | 57.0 | 57.0 | — | — |
| Travel | 13.0 | 25.0 | 75.0 | 50.0 | 200.0 |
| Staff assessment | 52.5 | 61.8 | 64.9 | 3.1 | 5.0 |
| **Total expenditures (gross)** | **2 062.3** | **3 164.3** | **3 394.7** | **230.4** | **7.3** |
| 2. Income | | | | | |
| Staff assessment | 52.5 | 61.8 | 64.9 | 3.1 | 5.0 |
| **Total requirements (net)** | **2 009.8** | **3 102.5** | **3 329.8** | **227.3** | **7.3** |

Table 4
**Summary of temporary post requirements**

| | *Temporary posts (assessed budget)* | | | |
|---|---|---|---|---|
| | *(a) 1997* | *(b) 1998* | *(c) 1998 revised* | *Change (c)-(b)* |
| Professional and higher categories | — | — | — | — |
| General Service and related categories | | | | |
| Principal level | — | — | — | — |
| Other level | 6 | 8 | 10 | 2 |
| Security Service | — | — | — | — |
| **Total** | **6** | **8** | **10** | **2** |

### Temporary posts ($15,300)

9. Two secretaries in General Service (Other level) posts would be required upon the arrival of three new judges in the third Trial Chamber. The estimated annual full cost of the new temporary posts would amount to $87,400 net ($104,900 gross).

**Salaries and allowances of judges ($162,000)**

10. Three judges will assume their functions during October 1998, upon the establishment of the third Trial Chamber. The estimates consist of $72,700 for honorariums for the three judges and $89,300 for costs related to their installation and the transportation of their personal effects.

**Travel ($50,000)**

11. The resources requested relate to the travel of the President of the Tribunal, who has been required to make a series of trips to both United Nations Headquarters and to Member States in order to discuss the operation and expansion of the Tribunal's activities.

12. The existing 1998 appropriation (see tables 5 and 6) relates to provisions for two courtrooms and two Trial Chambers. On that basis, it was assumed that each Trial Chamber could undertake two trials concurrently and, accordingly, the Prosecutor's Office was staffed with six teams, four of which would be in trial at any one time and two of which would be preparing for trial when an ongoing trial finished.

## B. The Office of the Prosecutor

Table 5
**Summary of requirements by object of expenditure**
*(Thousands of United States dollars)*

(1) Assessed budget

| *Object of expenditure* | *(a) 1997 expenditure* | *(b) 1998 initial appropriation* | *(c) 1998 revised estimates* | *(d) resource change (c)-(b)* | *(e) Percentage change (d)/(b)* |
|---|---|---|---|---|---|
| 1. Expenditure | | | | | |
| Temporary posts | 11 152.9 | 16 082.0 | 16 539.7 | 457.7 | 2.8 |
| Other staff costs | 38.0 | 53.8 | 545.9 | 492.1 | 914.7 |
| Consultants and experts (including travel) | 121.1 | 144.1 | 176.5 | 32.4 | 22.5 |
| Travel | 1 222.6 | 1 881.4 | 2 060.0 | 178.6 | 9.5 |
| Contractual services | 7.4 | 19.2 | 19.2 | — | — |
| Staff assessment | 2 015.5 | 3 135.8 | 3 231.5 | 95.7 | 3.1 |
| **Total expenditures (gross)** | **14 557.5** | **21 316.3** | **22 572.8** | **1 256.5** | **5.9** |
| 2. Income | | | | | |
| Staff assessment | 2 015.5 | 3 135.8 | 3 231.5 | 95.7 | 3.1 |
| **Total requirements (net)** | **12 542.0** | **18 180.5** | **19 341.3** | **1 160.8** | **6.4** |

(2) Extrabudgetary resources

| | *(a) 1997 expenditures* | *(b) 1998 initial estimates* | *(c) 1998 revised estimates* | *(d) resource change (c)-(b)* | *(e) Percentage change (d) (b)* |
|---|---|---|---|---|---|
| Expenditure | | | | | |
| Temporary posts | 354.4 | — | — | — | — |
| Other staff costs | 919.5 | 2 536.3 | 2 439.7 | (96.6) | (3.8) |
| Travel | 193.0 | 308.7 | 661.4 | 352.7 | 114.3 |
| Contractual services | 41.5 | 280.0 | — | (280.0) | (100.0) |
| General operating expenses | 166.5 | 260.0 | 409.8 | 149.8 | 57.6 |
| Supplies and materials | 60.1 | 106.0 | 147.8 | 41.8 | 39.4 |
| Acquisition of equipment | 558.7 | 140.0 | 179.3 | 39.3 | 28.1 |
| **Total (net)** | **2 293.7** | **3 631.0** | **3 838.0** | **207.0** | **5.7** |
| **Total (1) and (2) (net)** | **14 835.7** | **21 811.5** | **23 179.3** | **1 367.8** | **6.3** |

Table 6
**Summary of temporary post requirements**

| | *Assessed budget* | | | | *Extrabudgetary resources* | | | |
|---|---|---|---|---|---|---|---|---|
| | *1997* | *1998 initial* | *1998 revised* | *Change* | *1997* | *1998 initial* | *1998 revised* | *Change* |
| Professional and higher categories | | | | | | | | |
| Under-Secretary-General | 1 | 1 | 1 | — | — | — | — | — |
| Assistant Secretary-General | — | — | — | — | — | — | — | — |
| D-2 | 1 | 1 | 1 | — | — | — | — | — |
| D-1 | 1 | 2 | 2 | — | — | — | — | — |
| P-5 | 11 | 13 | 16 | 3 | — | — | — | — |
| P-4 | 35 | 44 | 50 | 6 | — | — | — | — |
| P-3 | 43 | 65 | 70 | 5 | — | — | — | — |
| P-2/1 | 29 | 57 | 64 | 7 | — | — | — | — |
| **Subtotal** | **121** | **183** | **204** | **21** | **—** | **—** | **—** | **—** |
| General Service and related categories | | | | | | | | |
| Principal level | 1 | 1 | 1 | — | — | — | — | — |
| Other level | 51 | 94 | 100 | 6 | 2 | — | — | — |
| Security Service | — | — | — | — | — | — | — | — |
| **Subtotal** | **52** | **95** | **101** | **6** | **2** | **—** | **—** | **—** |
| **Total** | **173** | **278** | **305** | **27** | **2** | **—** | **—** | **—** |

13. The impact of establishing the third Trial Chamber and utilizing fully courtroom 3 are currently being reviewed, and the related requirements have been submitted in the context of the 1999 budget proposals. The addition of a Trial Chamber and the significant increase in the number of detainees has already resulted in increased activities in the Office of the Prosecutor, for which additional resources will be required. The third courtroom will result in trials moving more quickly, as the Trial Chambers will be able to sit for sustained periods without interruption. This in turn will put pressure on the Prosecutor to make trial cases ready in a shorter period of time.

14. As the third Trial Chamber will be established in October 1998, it will be necessary to have additional teams in the Prosecution Division, which is responsible for the preparation and conduct of all prosecution cases, to handle the increased number of trials. In line with the teams established for other Trial Chambers, two trial teams and one trial preparation team are required in order to support the third Trial Chamber. One standard trial preparation team consists of one P-5 senior trial attorney, one P-4 trial co-counsel, one P-2 legal officer, one General Service-level case manager and one General Service-level trial support assistant. The composition of a trial team is basically the same as that of a trial preparation team, except for an additional trial co-counsel at the P-4 level. The additional P-4 in the trial team was designed so that one additional P-4 trial co-counsel could handle the higher level of activities during a trial, as the case develops into a trial stage and a trial preparation team evolves into a trial team. One General Service staff member each for the case manager and the trial support assistant is required for each of the trial and trial preparation teams.

15. In order to respond to Security Council resolution 1160 (1998), additional investigative resources are required in the Investigation Division to enable it to conduct investigations related to the recent violence in Kosovo. It is essential that the Prosecutor be provided with adequate investigative capacity in pursuing this investigation. Additional resources would thus be required for the Kosovo mandate, consisting of one additional investigation team composed of 10 Professional staff. This team will consist of two team legal advisers, four investigators, two military analysts and two intelligence analysts.

**Temporary posts ($457,700)**

16. Resources of $457,700 reflect the proposed establishment of 27 additional temporary posts related to the two trial teams and one trial preparation team (three P-5 senior trial attorneys, five P-4 trial co-counsels, three P-2 legal officers and six General Service posts, three each for case managers and trial support assistants); and one investigation team for Kosovo consisting of two team legal advisers (one P-4 and one P-3), four investigators (P-3), two military analysts (P-2), two intelligence analysts (P-2). The estimated annual full cost of the new temporary posts would amount to $2,050,100 net ($2,479,200 gross). A summary of new posts by functional title is provided in the table below.

**Summary of proposed new temporary posts by functional title**

| | *Professional category* | | | | | *General Service and other categories* | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | *P-5* | *P-4* | *P-3* | *P-2* | *Subtotal* | *Principal level* | *Other level* | *Security Service* | *Subtotal* | *Total* |
| *Office of the Prosecutor* | | | | | | | | | | |
| Prosecution Division | | | | | | | | | | |
| Senior trial attorney | 3 | — | — | — | 3 | — | — | — | — | 3 |
| Trial co-counsel | — | 5 | — | — | 5 | — | — | — | — | 5 |
| Team legal adviser | — | 1 | 1 | — | 2 | — | — | — | — | 2 |
| Legal officer | — | — | — | 3 | 3 | — | — | — | — | 3 |
| Case manager | — | — | — | — | — | — | 3 | — | 3 | 3 |
| Trial support assistant | — | — | — | — | — | — | 3 | — | 3 | 3 |
| Investigation Division | | | | | | | | | | |
| Military analyst | — | — | — | 2 | 2 | — | — | — | — | 2 |
| Investigator | — | — | 4 | — | 4 | — | — | — | — | 4 |
| Intelligence analyst | — | — | — | 2 | 2 | — | — | — | — | 2 |
| **Total** | **3** | **6** | **5** | **7** | **21** | **—** | **6** | **—** | **6** | **27** |

**Other staff costs ($492,100)**

17. The resources requested relate to the following:

(a) General temporary assistance ($457,500) equivalent to 3.6 work-months each of 19 staff members (three trial co-counsels to support the trial preparation teams, six investigators, four criminal intelligence analysts and six intelligence analysts to support case preparation);

(b) Overtime ($34,600) to allow payments for work done outside working hours by existing staff pending recruitment of the additional General Service staff proposed.

**Consultants and experts ($32,400)**

18. The resources requested would cover the cost of four additional expert witnesses required as a result of the operation of courtroom 3.

**Travel ($178,600)**

19. The resources requested relate to the following:

(a) Investigation travel ($144,000). In line with the original cost estimates, an average of two persons for 10 days each is required for an investigation trip. Approximately 50 additional investigation trips will be conducted (22 related to the investigation in Kosovo and 28 for trial preparation);

(b) Witness-proofing travel ($34,600). The increased court activities will require the prosecution to conduct 18 additional witness-proofing missions consisting of two staff for each mission. Related provisions are requested accordingly.

20. As a result of additional activities outlined in the preceding paragraphs, namely, the establishment of the third Trial Chamber, the opening of courtroom 3, investigations in

Kosovo and the increased number of detainees, corresponding additional resources will be required in the Registry, related mainly to judicial support (see tables 7 and 8).

## C. The Registry

Table 7
**Summary of requirements by object of expenditure**
*(Thousands of United States dollars)*

(1) Assessed budget

| *Object of expenditure* | *(a)* *1997 expenditure* | *(b)* *1998 initial appropriation* | *(c)* *1998 revised estimates* | *(d)* *Resource change (c)-(b)* | *(e)* *Percentage change (d) (b)* |
|---|---|---|---|---|---|
| 1. Expenditure | | | | | |
| Temporary posts | 9 002.3 | 13 810.6 | 14 514.6 | 704.0 | 5.1 |
| Other staff costs | 1 416.2 | 3 451.4 | 4 346.3 | 894.9 | 25.9 |
| Consultants and experts | 33.4 | 78.8 | 78.8 | — | — |
| Travel | 455.9 | 1 106.4 | 1 394.1 | 287.7 | 26.0 |
| Contractual services | 4 604.0 | 9 027.8 | 10 983.6 | 1 955.8 | 21.7 |
| General operating expenses | 4 276.8 | 6 457.8 | 6 855.1 | 397.3 | 6.2 |
| Hospitality | 2.5 | 4.0 | 4.0 | — | — |
| Supplies and materials | 356.9 | 961.5 | 1 129.7 | 168.2 | 17.5 |
| Acquisition of equipment | 1 415.7 | 3.638.2 | 2 971.1 | (667.1) | (18.3) |
| Major construction, alteration to premises | 277.3 | 2 950.6 | 190.6 | (2 760.0) | (93.5) |
| Staff assessment | 2 146.8 | 2 862.1 | 2 973.2 | 111.1 | 3.9 |
| **Total expenditures (gross)** | **23 987.8** | **44 349.2** | **45 441.1** | **1 091.9** | **2.5** |
| 2. Income | | | | | |
| Staff assessment | 2 146.8 | 2 862.1 | 2 973.2 | 111.1 | 3.9 |
| Other income | — | 438.5 | 363.7 | (74.8) | (17.1) |
| **Total requirements (net)** | **21 841.0** | **41 048.6** | **42 104.2** | **1 055.6** | **2.6** |

(2) Extrabudgetary resources

| | (a) 1997 expenditure | (b) 1998 initial estimates | (c) 1998 revised estimates | (d) Resource change (c)-(b) | (e) Percentage change (d) (b) |
|---|---|---|---|---|---|
| Expenditure | | | | | |
| Temporary posts | 124.8 | 368.5 | 349.3 | (19.2) | (5.2) |
| Other staff costs | (23.1) | — | 337.9 | 337.9 | — |
| Consultants and experts | — | — | 20.0 | 20.0 | — |
| Travel | 1.9 | — | 18.4 | 18.4 | — |
| Contractual services | 5.7 | — | 5.0 | 5.0 | — |
| General operating expenses | 4.5 | 111.5 | 23.5 | (88.0) | (78.9) |
| Supplies and materials | 59.3 | — | 471.0 | 471.0 | — |
| Acquisition of equipment | 1 183.4 | — | 478.5 | 478.5 | — |
| Alterations to premises | 321.8 | — | 683.6 | 683.6 | — |
| **Total (net)** | **1 678.3** | **480.0** | **2 387.2** | **1 907.2** | **397.3** |
| **Total (1) and (2) (net)** | **23 519.3** | **41 528.6** | **44 491.4** | **2 962.8** | **7.1** |

Table 8
**Summary of temporary post requirements**

| | *Assessed budget* | | | | *Extrabudgetary resources* | | | |
|---|---|---|---|---|---|---|---|---|
| | *1997* | *1998 initial* | *1998 revised* | *Change* | *1997* | *1998 initial* | *1998 revised* | *Change* |
| Professional and higher categories | | | | | | | | |
| Under-Secretary-General | — | — | — | — | — | — | — | — |
| Assistant Secretary-General | 1 | 1 | 1 | — | — | — | — | — |
| D-2 | — | — | — | — | — | — | — | — |
| D-1 | 2 | 2 | 2 | — | — | — | — | — |
| P-5 | 3 | 9 | 9 | — | — | — | — | — |
| P-4 | 19 | 26 | 36 | 10 | — | — | — | — |
| P-3 | 28 | 36 | 48 | 12 | 1 | — | 1 | 1 |
| P-2/1 | 15 | 46 | 50 | 4 | — | — | — | — |
| **Subtotal** | **68** | **120** | **146** | **26** | **1** | **—** | **1** | **1** |
| General Service and related categories | | | | | | | | |
| Principal level | 5 | 7 | 7 | — | — | — | — | — |
| Other level | 54 | 87 | 94 | 7 | 7 | 7 | 7 | — |
| Security Service | 61 | 71 | 84 | 13 | — | — | — | — |
| **Subtotal** | **120** | **165** | **185** | **20** | **7** | **7** | **7** | **—** |
| **Total** | **188** | **285** | **331** | **46** | **8** | **7** | **8** | **1** |

**Temporary posts ($704,000)**

21. Additional requirements, estimated at $704,000, reflect 46 additional temporary posts proposed to support activities related to the earlier than anticipated operation of courtroom 3, the establishment of the third Trial Chamber and other unforeseen increased activities. The estimated annual full-cost equivalent of the new temporary posts requested amounts to $3,084,000 net ($3,587,600 gross). The related costs are broken down below for each of the unforeseen activities.

*Opening of courtroom 3*

22. The operation of courtroom 3 will require additional posts as outlined below:

(a) In the Security and Safety Section, 13 additional security officers would be required in order to ensure the safety of the court sessions, to accompany accused persons attending the sessions and to ensure the safety of witnesses;

(b) In the Court Management and Support Section, the minimal requirements consist of one court deputy at the P-2 level and one General Service, Other level, usher to conduct the sessions of the court;

(c) In the Electronic Support and Communications Section, the minimal requirements for the audio-visual support unit in order to provide audio-visual coverage of the daily courtroom operations consist of two General Service posts (one each for a video director and an audio-visual technician). The computer operations assistant will be provided from the existing resources of the Tribunal;

(d) The number of court-days requiring interpretation will increase by up to 122 days. As the sessions in courtroom 3 will run parallel to those in the other two courtrooms, nine conference interpreters would be required to conduct the court sessions in three languages (five P-4 and four P-3).

*Establishment of a third Trial Chamber*

23. Tasks carried out by the legal officers in the Chambers Legal Support Section in respect of each trial begin with initial hearings and continue throughout the preparation of the judgement until a sentence is issued. For the additional Trial Chamber, one legal officer (P-4) would be required for the Trial Chamber in addition to the three legal officers (P-2) supporting each of the judges who will assume their duties in the third Trial Chamber. The three legal officers assisting each of the judges will undertake ongoing research for each of the judges.

*Other unforeseen activities*

24. As a result of the increased level of activities of the Tribunal, arising not only from the opening of the new courtroom but also from activities related to prosecution and investigation, 12 translators (four P-4 and eight P-3) would be required, as well as four text processors at the General Service level.

**Other staff costs ($894,900)**

25. The requirements under this heading relate to temporary assistance ($500,600), general temporary assistance ($294,300) and overtime ($100,000), details of which follow:

(a) Temporary assistance ($500,600). The opening of courtroom 3 would require French language verbatim reporters for up to 122 additional court-days in the amount of

$363,900, consisting of fees ($151,500) and travel-related costs ($212,400), and provision of $33,300 for translations and interpretation that cannot be accommodated in-house. It will be recalled in this connection that the 1998 appropriation was based on a total of 399 court-days for courtrooms 1 and 2. In addition, field interpretations would be required for additional investigation missions, prosecution witness-proofing missions and witness escort missions by members of the Victims and Witnesses Section. The provision in the amount of $103,400 consists of 50, 18 and 12 extra missions respectively by the Investigation Division, the Prosecution Division and the Victims and Witnesses Section, and is based on salaries for 632 field interpreter days at $125 a day ($79,000) plus daily subsistence allowance ($24,400);

(b) General temporary assistance ($294,300). Requirements under this heading relate to witness assistants amounting to $69,400, representing an additional 134 days of 25.5 witness-hours required in courtroom 3, based on 41 guilders per hour for a total of 140,100 guilders, and other general temporary assistance amounting to $224,900 for the emoluments of 14 staff in various sections of the Registry in order to support the increased level of activities of the Tribunal;

(c) Overtime ($100,000). It was anticipated that the Tribunal would be unable to recruit in May 1998 all the necessary personnel to take up the posts described above. This delay is built into the vacancy factor used to calculate staff costs. In such cases, however, the existing staff will be expected to support the activities in courtroom 3. Accordingly, the related provision under overtime is requested.

**Travel ($287,700)**

26. Requirements under this heading relate to travel of victims and witnesses ($210,900) and other official travel ($76,800), as described below:

(a) Travel of victims and witnesses ($210,900). As a result of the early opening of courtroom 3, an additional 77 witnesses are expected to attend court for an average of eight days each. The breakdown of the provisions for travel for victims and witnesses is indicated below:

(i) Anticipated expenses for transportation to The Hague and travel documents for witnesses ($79,400), accommodation and meals for witnesses ($66,600) and witness allowance for incidental expenses ($15,300);

(ii) It is estimated that 20 per cent of the witnesses will be eligible for the assistance of a witness support person from their family or home area. Accompanying support persons are provided with travel, travel documents, accommodation, meals and the witness daily allowance for the witnesses indicated in (i) above ($32,300);

(iii) The Tribunal is occasionally required to allow dependent children or disabled adults to accompany the witness. While a policy has been developed to control eligibility for this purpose, it is anticipated that for witnesses who will testify in courtroom 3, the Tribunal will receive five such requests, at an estimated cost of $5,500;

(iv) A further provision of $11,800 is requested for working accommodation for witness assistants who are employed in support of courtroom 3, calculated at 134 days at $88 per day;

(b) Official travel ($76,800). Provision is made for an additional 12 five-day witness escort missions by members of the Victims and Witnesses Section ($12,000). Furthermore, several factors led to the Registry's travel budget being spent early, resulting in the need

for additional funds amounting to $64,800 under this heading. The number of field escort missions by officers of the Victims and Witnesses Section has been higher than the original estimates. Security officers of the Tribunal escorted the Prosecutor and Deputy Prosecutor on liaison visits to the former Yugoslavia, and investigation personnel were required to be accompanied by security officers when travelling on covert operations in hostile areas of Bosnia and Herzegovina.

**Contractual services ($1,955,800)**

27. The additional requirements under this heading are indicated below:

(a) Defence Counsel ($1,621,400). The initial 1998 budget for Defence Counsel was based on the Tribunal bearing costs of 15 accused in 1998. Current projections indicate that the number of indigent detainees will increase to 24 accused in 1998, taking into account both the increase in detainees and the opening of courtroom 3. The related provision, representing a 23 per cent increase over the 1998 appropriation and influenced not only by the early opening of courtroom 3 but also by the pre-trial activities of the Counsel and the increased number of persons held in the detention unit, will cover the fees, expenses and travel of Defence Counsel both before and during trials, appeals and sentencing;

(b) Detention guards ($173,600). In order to ensure the security of all detainees in the detention unit, it was necessary to increase the number of detention guards to contend with the increased population. In the period from March to August 1998, detainees had to be kept in two separate areas of Scheveningen prison as the Tribunal Detention Unit can accommodate only 24 detainees, thereby increasing the burden on the detention guards. Thus, for the period from March to August, the number would be proportionately higher than expected. The total cost for the additional detention guards requested is 350,500 guilders;

(c) Contractual translation and verbatim reporting ($160,800). It is estimated that the opening of courtroom 3 will increase the volume of translation work to be contracted out by approximately 20 to 25 per cent, at approximately 40 guilders per page, for a total cost of 54,000 guilders, or $26,800, and that the 30 per cent increase in court-days in 1998 will give rise to increased English verbatim reporting at a cost of $134,000, based on the rates of the current vendor.

**General operating expenses ($397,300)**

28. The additional requirements under this heading consist of the following:

(a) Rental of premises ($194,500). In order to accommodate additional detainees, 12 additional cells are currently being constructed at the Tribunal's detention unit. The rent payable for those cells is split between an annual rental cost and a per capita rate for each detainee held. For the additional cells, it is anticipated that the annual rent would be 256,000 guilders, of which 128,000 guilders ($63,400) is payable in 1998. For the additional detainees, the cost will be 50 guilders per detainee per day, totalling 264,800 guilders ($131,100);

(b) Commercial communications ($58,200). It is estimated that the volume of commercial communications will increase in line with the proposed increase in personnel;

(c) Bank charges ($5,000). The increased level of activities will increase bank charges to be paid by the Tribunal by approximately $5,000;

(d) Miscellaneous claims and adjustments ($35,600). Additional provisions under this heading relate to claims for loss of earnings for witnesses ($8,600), personal allowance

for indigent detainees ($11,600) and relocation costs for witnesses and their families ($15,400);

(e) Medical services for detainees and witnesses ($89,000). The provision for such services was based on $3,740 and $2,400 per detainee per annum for medical and psychiatric care, respectively. The $89,000 would provide for medical and psychiatric care for the additional detainees;

(f) Cleaning of uniforms ($15,000). Provisions are requested for cleaning of uniforms of additional security officers and detention guards and robes of judges.

**Supplies and materials ($168,200)**

29. The resources requested include office supplies ($7,800), data-processing supplies ($10,000), photocopying supplies ($6,200), audio-visual supplies ($51,100), uniforms ($69,500), provisions to supplement meals for detainees ($15,600), petrol and oil ($5,000) and miscellaneous supplies ($3,000).

**Furniture and equipment ($667,100 decrease)**

30. The total appropriation of $3,638,200 granted by the General Assembly related to various items indicated in paragraph 78 of the 1998 initial budget proposal (A/C.5/52/4). The revised requirements amount to $2,971,100, or a reduction of $667,100 compared with the initial estimates. This reduction is due to the in-kind donation of audio-visual equipment for courtroom 3, which led to the non-utilization of $1,201,700 included in the initial estimates. This saving is balanced by extra requirements totalling $534,600 for equipment relating to additional personnel and activities, as listed below:

(a) Acquisition of furniture and fixtures ($239,600). Office equipment for the proposed additional personnel amounts to $239,600 at an average cost of approximately $2,600 per person (excluding security officers), and 13 lockers at $200 each;

(b) Acquisition of data-processing equipment ($252,000). The estimated costs of computer equipment for the proposed additional personnel totals $252,000 at an average cost of $2,800 per person, inclusive of standard office software;

(c) Acquisition of vehicle ($30,000). The cost relates to one four-wheel-drive vehicle for the investigation activities in Kosovo;

(d) Acquisition of security and safety equipment ($13,000). Each of the 13 proposed security officers requires the Tribunal's standard-issue weapon, with magazines, holster, magazine holder and ammunition, at a cost of $1,000 each.

**Major construction to premises ($2,760,000 decrease)**

31. The total resources appropriated under this heading amount to $2,950,600. As a result of in-kind donations for projects related to courtroom 3, $2,760,000 of the existing appropriation was not utilized. The balance of $190,600 from the existing appropriation relates to the relocation and reconstruction of the cafeteria.

**Staff assessment ($111,100)**

32. Provision for staff assessment related to additional temporary posts is included in the estimates.

**Summary of proposed new temporary posts by functional title**

| | *Professional and higher categories* | | | | | *General Service and related categories* | | | |
|---|---|---|---|---|---|---|---|---|---|
| | *P-5* | *P-4* | *P-3* | *P-2* | *Subtotal* | *Other level* | *Security Service* | *Subtotal* | *Total* |
| *Registry* | | | | | | | | | |
| Security and Safety Section | | | | | | | | | |
| Security Officer | — | — | — | — | — | — | 13 | 13 | 13 |
| Chambers Legal Support Section | | | | | | | | | |
| Legal Officer | — | 1 | — | 3 | 4 | — | — | — | 4 |
| Court Management and Support Section | | | | | | | | | |
| Court deputy | — | — | — | 1 | 1 | — | — | — | 1 |
| Usher | — | — | — | — | — | 1 | — | 1 | 1 |
| Conference and Language Services Section | | | | | | | | | |
| Translator | — | 4 | 8 | — | 12 | — | — | — | 12 |
| Conference interpreter | — | 5 | 4 | — | 9 | — | — | — | 9 |
| Text processor | — | — | — | — | — | 4 | — | 4 | 4 |
| Electronic Support and Communications Section | | | | | | | | | |
| Audio-visual technician | — | — | — | — | — | 1 | — | 1 | 1 |
| Video director | — | — | — | — | — | 1 | — | 1 | 1 |
| **Total** | **—** | **10** | **12** | **4** | **26** | **7** | **13** | **20** | **46** |

## III. Expenditure trends, 1998

33. A review of 1998 expenditure incurred in the first eight months of 1998 and anticipated for the last four months has been undertaken. This indicates that while a number of objects of expenditure may be exceeding initial appropriation provisions by 31 December 1998, it would appear that total expenditures, after taking into account requirements in part II, expenditure trends, and recent exchange rate changes would remain within the total level of appropriations ($62,331,600) granted under General Assembly resolution 52/217. Total requests by area may be summarized as follows (in thousands of United States dollars):

| | *Initial appropriation* | *Change* | *Revised estimates* | *Projected expenditures 1998* |
|---|---|---|---|---|
| The Chambers | 3 102.5 | 227.3 | 3 329.8 | 3 145.0 |
| The Office of the Prosecutor | 18 180.5 | 1 160.8 | 19 341.3 | 17 611.0 |
| The Registry | 41 048.6 | 1 055.6 | 42 104.2 | 41 445.2 |
| **Total** | **62 331.6** | **2 443.7** | **64 775.3** | **62 201.2** |

34. The expenditure projections through 31 December 1998 are based upon actual expenditure experience for 1 January to 31 August 1998, projected for the last four months of the year, bearing in mind both the lower vacancy rate than that which existed earlier in the year and the unfavourable developments in exchange rates for the last quarter (in thousands of United States dollars):

| | *Initial appropriation* | *1 January 31 August actual* | *1 September 31 December projected* | *Total estimated for 1998* |
|---|---|---|---|---|
| The Chambers | 3 102.5 | 1 788.2 | 1 356.8 | 3 145.0 |
| The Office of the Prosecutor | 18 180.5 | 9 843.2 | 7 767.8 | 17 611.0 |
| The Registry | 41 048.6 | 26 537.1 | 14 908.1 | 41 445.2 |
| **Total** | **62 331.6** | **38 168.5** | **24 032.7** | **62 201.2** |

## IV. Action to be taken by the General Assembly

**35. On the basis of the revised budget estimates detailed in the preceding paragraphs, it is estimated that resources in the amount of $62,201,200 net ($68,611,900 gross) will be required for the operation of the International Tribunal for the Former Yugoslavia in 1998.**

**36. The General Assembly may therefore wish to approve: (a) a revised staffing table as shown in table 2 of the present document; and (b) a revised appropriation for the International Tribunal for the Former Yugoslavia of $62,201,200 net ($68,611,900 gross) for 1998, which represents a reduction in requirements of $130,400 net ($217,900 gross).**

# Annex I

## Selected workload indicators

### A. Chambers

| *Workload indicators* | *1997* | *1998 initial* | *1998 estimates* |
|---|---|---|---|
| Trials | 2 | 5 | 6 |
| Appeals (full and interlocutory) | 10 | 4 | 12 |
| Court days | 163 | 399 | 346 |
| Plenary days | 9 | 15 | 9 |
| Pre-trial motions, orders and applications | 207 | 200 | 600 |
| Order, warrants and other issues by a single Judge | 60 | 150 | 100 |

### B. Office of the Prosecutor

| *Selected workload indicators* | *1997* | *1998 initial* | *1998 estimates* |
|---|---|---|---|
| Motions/applications/responses | 188 | 360 | 360 |
| Trials under preparation | 6 | 4 | 10 |
| Trials being prosecuted | 2 | 5 | 9 |
| Trials completed | 0 | 4 | 6 |
| Verdicts | 1 | 4 | 5 |
| Appeals | 4 | 6 | 6 |
| Number of investigations | 19 (4 active, 3 partially active, 6 suspended, 6 in trial) | 12 (12 fully active) | 10 |
| Missions | 424 | 650 | 435 |

## C. Registry

| *Selected workload indicators* | *1997* | *1998* | *1998 estimates* |
|---|---|---|---|
| **Press and Information Unit** | | | |
| Media representatives/journalists listed on distribution lists | 421 | 500 | 550 |
| Phone queries/document requests – press | 15 000 | 15 000 | 12 000 |
| **Security and Safety Section** | | | |
| Average number of posts and patrols covered per day | 43 | 49 | 49 |
| Parcels inspected and X-rayed | 51 800 | 65 600 | 118 500 |
| Visitor badges issued | 13 990 | 17 600 | 19 596 |
| Officers covering courtroom and accused persons | 26 | 29 | 45 |
| **Victims and Witnesses Section** | | | |
| Witnesses | 142 | 340 | 600 |
| Witness-days | 1 278 | 2 720 | 4 500 |
| Witnesses with additional protective measures | 36 | 98 | 200 |
| **Detention Unit** | | | |
| Detainees (average) | 12 | 18 | 25 |
| **General Services Section** | | | |
| Procurement/Travel Unit | | | |
| Travel authorization forms | 2 408 | 2 247 | 4 000 |
| Travel invoices | 1 984 | 1 955 | 6 000 |
| Building Management Unit | | | |
| Work orders completed | 650 | 750 | 1 500 |
| Major maintenance projects | 19 | 21 | 21 |
| Electrical construction projects | 8 | 13 | 8 |
| **Human Resources Section** | | | |
| Staffing table | 367 | 571 | 646 |
| Applications received | 1 600 | 2 700 | 7 000 |
| Offers of appointment | 133 | 200 | 340 |
| **Budget and Finance Section** | | | |
| Appropriation level | 48.6 | 62.3 | 62.2 |
| Extrabudgetary expenditure level | 3.9 | 4.4 | 6.0 |
| Payroll (regular, extrabudgetary and projects) | 404 | 700 | 775 |
| Financial statements | 12 | 12 | 20 |
| **Conference and Language Services Section** | | | |
| Translation (pages per year) | 33 100 | 40 000 | 48 000 |
| Conference interpreters (days) | 1 292 | 3 100 | 3 900 |
| Field interpreters (days) | 1 907 | 4 000 | 3 000 |

# Annex II

## Budgetary assumptions

1. As in the original budget estimates (A/C.5/52/4), the proposed revised estimates assume the United Nations operational rate of exchange of $1:f. 2.02. The post adjustment multiplier used for The Hague in 1998 is 128.1. With regard to expenditure trends in 1998, the United Nations operational rate of exchange of $1:f. 1.89 was used for the period from 1 October to 31 December 1998.

2. The overall budgetary estimates of expenditure for the assessed budget are prepared on the basis of gross salary scales. However, the individual submissions of the budget by the main organizational units reflect net salary scales (i.e., gross salary less the applicable staff assessment), a procedure that would allow budgetary comparability with other organizations of the United Nations system. In order to reflect gross expenditure levels, the difference between gross and net emoluments, or staff assessment, is shown as a separate item in all expenditure tables.

3. With regard to the vacancy rates, a rate of 60 per cent was used for new temporary Professional posts proposed and 50 per cent for new temporary posts in the General Service category for the period from 1 July to 31 December 1998. For the new judges for the third Trial Chamber, honorariums were calculated for the period from 1 November to 31 December 1998. Accordingly, the costs of certain new temporary posts that directly support the new judges (two secretaries at the General Service level and three legal officers at the P-2 level were calculated for the same period. For continuing temporary posts, new temporary posts already approved for 1998 and posts converted to accommodate gratis personnel, the same assumptions as those used in the initial 1998 budget were used, namely: (a) an 8 per cent turnover factor for continuing Professional posts and a 5 per cent turnover factor for continuing General Service posts; (b) a 60 per cent and a 50 per cent turnover factor for new temporary posts approved for 1998; and (c) in the case of posts converted to accommodate gratis personnel, a provision of 25 per cent of full annual costs has been made to reflect the intention to phase out gratis arrangements and recruit staff during 1998.